



Legislation Details (With Text)

File #: 73715 **Version:** 1 **Name:** Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for the construction, maintenance and use of a sanitary sewer access drive to maintain a public sanitary sewer east of Parkside Drive

Type: Resolution **Status:** Passed

File created: 9/14/2022 **In control:** Engineering Division

On agenda: 10/11/2022 **Final action:** 10/11/2022

Enactment date: 10/17/2022 **Enactment #:** RES-22-00672

Title: Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for the construction, maintenance and use of a sanitary sewer access drive to maintain a public sanitary sewer east of Parkside Drive connecting to an MMSD sanitary sewer interceptor. Located in part of the NW ¼ of the NE ¼ of Section 33, T8N, R10E. (3rd AD)

Sponsors: Erik Paulson

Indexes:

Code sections:

Attachments: 1. PC Locator Maps.pdf, 2. 14385 Parkside Sewer Access Vicinty Map.pdf, 3. 14385SVY-Parkside Relocation SHEET 1 REV 2022-09-13.pdf

Date	Ver.	Action By	Action	Result
10/11/2022	1	COMMON COUNCIL	Adopt	Pass
10/3/2022	1	PLAN COMMISSION	Return to Lead with the Recommendation for Approval	Pass
9/21/2022	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
9/20/2022	1	BOARD OF PUBLIC WORKS	Referred	
9/20/2022	1	COMMON COUNCIL	Refer	
9/14/2022	1	Engineering Division	Referred for Introduction	

Fiscal Note

Real Estate acquisition costs estimated at \$65,000 for this project are available in Acct. No(s): 14385-83-160 Parkside Sanitary Sewer Access (Easement Acquisition)
No additional appropriation is required.

Title

Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for the construction, maintenance and use of a sanitary sewer access drive to maintain a public sanitary sewer east of Parkside Drive connecting to an MMSD sanitary sewer interceptor. Located in part of the NW ¼ of the NE ¼ of Section 33, T8N, R10E. (3rd AD)

Body

WHEREAS, the City of Madison Engineering Division established Engineering Project No. 13872 - Parkside Drive Sanitary Sewer Replacement, for the design and reconstruction of a public sanitary sewer that lies approximately 1100 feet southerly of Lien Road. The westerly end of the sewer to be replaced lying within Parkside Drive and the easterly end extending approximately 1200 feet east to its connection with an existing Madison Metropolitan Sewerage District sewer interceptor; and

WHEREAS, during the design for the reconstruction of the public sanitary sewer, it has been confirmed by Engineering Operations that City of Madison sewer maintenance vehicles are unable to utilize the existing sanitary sewer easements for vehicular access due to the lack of an access drive and poor soils within the existing sanitary sewer easement areas; and

WHEREAS, due to the lack of adequate vehicular access necessary for maintenance of the public sanitary sewer, City of Madison Engineering staff concluded the most practical and cost effective solution to provide adequate access is to construct a sanitary sewer access drive thus providing the required vehicular access for sanitary sewer maintenance vehicles; and

WHEREAS, the City of Madison Engineering Division established Engineering Project No. 14385 - Parkside Sanitary Sewer Access, for the design and construction of a public sanitary sewer drive; and

WHEREAS, the acquisition of public land interests are required for the construction, maintenance and use of a sanitary sewer access drive to maintain the sanitary sewer to be reconstructed with the Parkside Drive Sanitary Sewer Replacement project; and

WHEREAS, the City of Madison Office of Real Estate Services Division of the Economic Development Division has established a Master File / Project No. 12652 to facilitate and administer acquisition of required land interests to construct, maintain and use the necessary sanitary sewer access drive; and

WHEREAS, attached hereto and made part of this resolution is a City of Madison Relocation Order Map titled "PLAT OF LAND INTERESTS REQUIRED FOR THE CONSTRUCTION, MAINTENANCE AND USE OF A SANITARY SEWER ACCESS DRIVE", LOCATED IN PARTS OF LOT 9 OF COLONY HEIGHTS, LOT 1 OF CSM 14984 AND OTHER PARTS OF THE NW 1/4 OF THE NE 1/4 OF SECTION 33, TIN R10E, CITY OF MADISON, DANE CO, WISCONSIN; and

WHEREAS, this Relocation Order Map identifies the necessary public land interest areas of acquisition as shown on the City of Madison Relocation Order Map and Schedule of Interests Required for the public storm sewer improvements; and

WHEREAS, all required funding for the land interest acquisitions by the City of Madison will be available in Account Number 14385-83-160 Parkside Sanitary Sewer Access (Easement Acquisition).

NOW THEREFORE BE IT RESOLVED,

1. That this Resolution is a Relocation Order in accordance with Section 32.05(1) and 62.22, Wisconsin Statutes for the purpose of the within described public acquisition project and that this acquisition is determined to be necessity in accordance with Section 32.07(2), Wisconsin Statutes, and the acquisition shall allow for the construction, maintenance and use of planned sanitary sewer access drive improvements of Parkside Sanitary Sewer Access Engineering Project No. 14385.
2. That the City of Madison hereby determines that it is necessary and a public purpose exists to acquire necessary land interests from the properties/parties as identified in the Schedule of Interests Required on the attached Relocation Order Map and such acquisitions are required to allow for the construction of said sanitary sewer access drive improvements.
3. That the Common Council of the City of Madison, does hereby adopt this relocation order to acquire the necessary land interests required for the installation of sanitary sewer access drive improvements associated with Engineering Division Project Number 14385, Parkside Sanitary Sewer Access, consisting of the attached Relocation Order Map in accordance with Section 32.05(1) and 62.22, Wisconsin Statutes.

4. That the Office of Real Estate Services Division of the Economic Development Division and the City Attorney are hereby authorized to proceed by negotiation or condemnation under authority of Section 32 and 62.22 of the Wisconsin Statutes to acquire the real estate interests shown on said Relocation Order, and the Office Real Estate Services is further authorized to obtain title reports, appraisals, survey information, environmental site assessment reports, and any other essential material or reports as may be necessary to perform due diligence in accomplishing the acquisition.
5. That the City Of Madison Office of Real Estate Services Division of the Economic Development Division staff shall administer the acquisition of all land interests by Real Estate Master Project No. 12652.
6. That the City of Madison Office of Real Estate Services Division of the Economic Development Division is hereby authorized to execute the jurisdictional offer, lis pendens, and award of the compensation if condemnation proceedings under Section 32 of the Wisconsin Statutes are necessary.
7. That the Mayor and City Clerk are authorized to sign all necessary documents to accomplish the acquisition.